

## Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**(Insert Title) HYPERICIN AND HYPERICUM EXTRACT: SPECIFIC T-TYPE CALCIUM CHANNEL BLOCKER, AND THEIR USE AS T-TYPE CALCIUM CHANNEL TARGETED THERAPEUTICS**  
 the specification of which is attached hereto unless the following box is checked:

was filed on January 11, 2000 as United States Application Number 09/481,572.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.  
 I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

(List prior foreign applications. See note A on back of this page)	(Number)	(Country)	(Day/Month/Year Filed)
	(Number)	(Country)	(Day/Month/Year Filed)
	(Number)	(Country)	(Day/Month/Year Filed)

Priority Claimed  
 Yes  No  
 Yes  No  
 Yes  No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

(See Note B on back of this page)

See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(List prior U.S. Applications or PCT International applications designating the U.S.)	PCT/US99/14132 (Application Serial No.)	July 9, 1999 (Filing Date)	Pending (Status) (patented, pending, abandoned)
	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: Robert B. Murray, Reg. No. 22,980; David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; James A. Poulos, III, Reg. No. 31,714; Patrick D. Muir, Reg. No. 37,403; Murat Ozgu, Reg. No. 44,275 and Bradley D. Goldizen, Reg. No. 43,637; N. Alexander Nolte, Reg. No. P45,689; Robert K. Carpenter, Reg. No. 34,794.

Please direct all communications to the following address: Arent Fox Kintner Plotkin & Kahn PLLC  
 1050 Connecticut Avenue, N.W., Suite 600  
 Washington, D.C. 20036-5339  
 Telephone (202) 857-6000; Telefax (202) 857-6395

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C on back of this page)

Full name of sole or first inventor: Jacqueline J. SHAN

Inventor's signature

Residence: 136 Twin Brooks Cove, Edmonton, Alberta T6J 6Y2 Canada

Citizenship: Canada

Post Office Address: Same as above

March 20, 2000  
Date

Full name of second joint inventor, if any: Xi-Chén WU

Inventor's signature Wu Xi-Chen

Mar. 20. 2000

Date

Residence: J6 Garden Grove Village, Edmonton, Alberta T6J 2L3 Canada

Citizenship: Canada

Post Office Address: Same as above

Full name of third joint inventor, if any: Peter K. T. PANG

Inventor's signature Peter Pang

March 13, 2000

Date

Residence: 205 5225 RR 232 Sherwood Park, Edmonton, Alberta T6B 1L5, Canada

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of fourth joint inventor, if any: Lei LING

Inventor's signature Lei Ling

March 21, 2000

Date

Residence: 610 B Michener Park, Edmonton, Alberta T6H 5A1 Canada

Citizenship: Canada

Post Office Address: Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

SHAN et al.

Serial Number: 09/481,572

Filed: January 11, 2000



Group Art Unit: 1635

Examiner:

For: HYPERICIN AND HYPERICUM EXTRACT; SPECIFIC T-TYPE CALCIUM CHANNEL BLOCKER, AND THEIR USE AS T-TYPE CALCIUM CHANNEL TARGETED THERAPEUTICS

**REQUEST FOR SMALL ENTITY STATUS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

March 23, 2000

Dear Sir:

Submitted herewith is a Small Entity Declaration for the above-identified application, indicating that this application is entitled to small entity status. An acknowledgment of this status is respectfully requested.

In the event any fees are required, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

Arent Fox Kintner Plotkin & Kahn, PLLC

*King L. Wong*

King L. Wong  
Attorney for Applicants  
Registration No. 37,500

Atty. Docket No. 108061-09013

1050 Connecticut Avenue, N.W.  
Suite 600  
Washington, D.C. 20036-5339  
(202) 857-6000

KLW:msg

Enclosure: Small Entity Declaration

## SMALL ENTITY DECLARATION

APPLICANT OR PATENTEE Jacqueline J. SHAN et al

ATTORNEY'S

SERIAL NO. 09/481,572

PATENT NO. \_\_\_\_\_

DOCKET NO. P8061-9013

1. FILED OR ISSUED: January 11, 2000

2. SUBMITTED HEREWITH

FOR : HYPERICIN AND HYPERICUM EXTRACT: SPECIFIC T-TYPE CALCIUM CHANNEL BLOCKER, AND THEIR USE AS T-TYPE CALCIUM CHANNEL TARGETED THERAPEUTICS

I (we) hereby declare that I (we) am (are) entitled to the benefit of small entity status with respect to the above-identified application or patent for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b) to the U.S. Patent and Trademark Office.

A. INDEPENDENT INVENTOR

I (we) qualify as (an) independent inventor(s) as defined in 37 C.F.R. §1.9(c).

B. INDIVIDUAL NON-INVENTOR

I (we) would qualify as (an) independent inventor(s) as defined in 37 C.F.R. §1.9(c) if I had made the invention.

C. SMALL BUSINESS CONCERN

I am  THE OWNER  AN OFFICIAL of the small business concern identified below and am empowered to act on behalf of the concern. The concern qualifies under 37 C.F.R. §1.9(d) and 13 C.F.R. §121.3-18. Rights under contract or law have been conveyed to and remain with the concern and are exclusive unless a checkmark is placed here  . All other rights belong to small entities as defined in 37 C.F.R. §1.9.

D. NON-PROFIT ORGANIZATION

I am an official empowered to act on behalf of the non-profit organization identified below. The organization qualifies under 37 C.F.R. §1.9(e), subsection:  (1)  (2)  (3)  (4). Rights under contract or law have been conveyed to and remain with the organization and are exclusive unless a checkmark is placed here  . All other rights belong to small entities as defined in 37 C.F.R. §1.9.

I (we) acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate [37 C.F.R. §1.28(b)].

I (we) declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

A. INDEPENDENT INVENTOR(S)      B. INDIVIDUAL NON-INVENTOR(S)

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

C. BUSINESS CONCERN      D. NON-PROFIT ORGANIZATION

C. V. Technologies, Inc.      Suite 308, 8625-112 Street, Edmonton, Alberta Canada T6G 1K8

Name of Concern or Organization

Address

By JAMES H. BRUCE

JAMES H. BRUCE

Name of Person Signing

Signature

President and CEO

3/16/00

Title

Date